

INTRODUCTION OF H.R. 1703, DEPARTMENT OF VETERANS AFFAIRS EMPLOYMENT DISCRIMINATION PREVENTION ACT

**HON. LANE EVANS**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 22, 1997*

Mr. EVANS. Mr. Speaker, as you know, the problem of sexual harassment is not new to our society, let alone our Federal work force. It has been only in the past decade or so, however, that we in Congress have begun to truly recognize the depths of the problem and attempted to eliminate it from the workplace—even if such harassment comes from the highest levels of management.

As recent testimony before the House Veterans Affairs Subcommittee on Oversight and Investigations has revealed, sexual harassment has been no stranger to the Department of Veterans Affairs [VA] over the past few years. Despite what I consider the sincere efforts of VA Secretary Jesse Brown, the VA's zero tolerance policy against sexual harassment has failed.

In one highly publicized case brought to light during hearings last month, several VA employees had the courage to raise serious, substantiated allegations of sexual harassment against their boss, the Director of the Fayetteville, NC, facility. One employee was demoted after she rejected the Director's advances. When the filed charges of harassment with her immediate supervisor she was told she had little chance of succeeding on her claim because the accused was a powerful hospital director. In open testimony before our committee, she testified under oath that life had become so difficult for her at the facility that she was literally afraid to go to work each day, and ultimately transferred at her own expense to another VA hospital to get away from the Fayetteville Director.

Other employees testified that the same Director commonly made references to various parts of their female anatomy, commonly used profanity, and made sexually suggestive comments toward them, and in one case grabbed an employee's breasts at a Christmas party. Still, when some of these women attempted to file charges of harassment against the Director, local and regional VA counsels discouraged them from pursuing such claims and provided incorrect information concerning how and when to file discrimination charges.

Even amidst substantiated allegations of harassment and abusive treatment of women in the Fayetteville, NC, facility, the VA's solution was to transfer the Fayetteville Director to sunny Bay Pines, FL—the Director's planned retirement destination—with a pay increase and lessened responsibilities. The VA also paid his moving expenses, and specifically allowed him to be considered for a return to the Senior Executive Service [SES] in 3 years. The female victims of the Director's abuse, meanwhile, continue to suffer the lingering traumatic effects of his harassment.

Unfortunately, little has changed in the VA workplace since 1992, when I first chaired oversight subcommittee hearings on this issue. At that time, we heard equally compelling testimony from a legion of women who also were subjected to abusive and hostile treatment by senior level managers in the VA

workplace. Incredibly, one woman who testified during the 1992 hearing presently remains on disability leave from the VA, still unable to return to work because of the emotional trauma she suffered at the hands of her senior level VA harasser.

That is why today I am pleased to join as an original cosponsor of the Department of Veterans Affairs Employment Discrimination Prevention Act. This bipartisan legislation, introduced today in the House, revamps the way VA investigates internal allegations of sexual harassment by, and against, its own employees and seeks to bring confidence and trust to the EEO process at the VA.

Boiled down to its essence, this legislation changes the way charges of harassment and other discrimination claims are handled within the VA; instead of allowing claims to be investigated by poorly trained collateral duty employees at the very facility where the harassment or discrimination is said to exist, our bill requires that all such claims be investigated and reviewed by well-trained central office employment law experts with no direct ties to the VA facility where the discrimination has allegedly occurred. In addition, the bill calls for the final agency determination to be made by independent administrative law judges [ALJ's] rather than VA bureaucrats.

This bill will help ensure that well-trained specialists investigate such claims, and will directly address the all-too-familiar scenario where a poorly trained, lower level VA employee is asked to investigate harassment or discrimination charges against a senior official who may have everything to say about his or her continued employment with the agency.

I sponsored a nearly identical version of this legislation which overwhelmingly passed the House in the 103d Congress, but was never acted on in the Senate. At that time, the VA believed that a proposed Government-wide reform of the equal employment opportunity [EEO] processes at all Federal agencies would occur. The VA opposed the legislation on that basis, and also indicated that many of the changes called for in the bill could be made administratively.

Nearly 5 years later there has been no Government-wide reform of the EEO process, there has been no major overhaul of the VA EEO administrative process, and the VA's well-intentioned zero tolerance policy has proven to be ineffective.

We cannot be expected to wait any longer for meaningful reform of the VA EEO process to occur. More importantly, this Nation's veterans and the VA employees dedicated to serving them cannot be expected to wait any longer for meaningful action and honest reform.

By enacting this legislation, we in Congress can help put the VA back on the path toward eradicating discrimination at the work place. Our veterans and VA employees deserve no less.

FIFTH AND SIXTH GRADERS SPEAK OUT—IT'S TIME FOR A NATIONAL HOLIDAY TO HONOR WOMEN'S ACHIEVEMENTS

**HON. BOB FILNER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 22, 1997*

Mr. FILNER. Mr. Speaker and colleagues, I rise to give voice to the views of Sheila LeCompte's fifth and sixth grade students at Clear View Charter School in Chula Vista, CA, who have argued forcefully for a national holiday to honor 1 of 10 women whom they believe are worthy of this recognition.

One of the students, Diana Camacho, has it right when she says: "Not one woman has been celebrated with a holiday, even when they have accomplished just as much as the men. Considering that now we are all treated equal, I believe famous women who changed the world need credit."

Diana suggests that Marie Curie should be honored with a holiday: "She changed the world dramatically through her medical discoveries. She was the first person to win two Nobel prizes."

The 11- to 12-year-old children's nominations for a national holiday run from the well-known to more obscure, but nevertheless very deserving, women. Former First Lady Eleanor Roosevelt was picked by Taylor Barnes and Paul Hernandez. Ernest Joseph Z. Castillo nominated Susan B. Anthony who fought for woman's right to vote.

Brian P. Trick suggests that the "mother of modern computers," Grace Hopper, be nominated. He feels strongly about a honor: "Women are important in making our society a better place for many generations to come. . . . She was the one that said that computers could understand English and worked to prove it. Because of her work, we are able to have personal computers and other tools without special training."

Jean-Marc Apalategui and Alen Cabandong nominate 19th Century suffragist, anti-slavery activist, and former slave Sojourner Truth for a national holiday.

Christopher Del Rio would like Harriet Tubman's birthday to be declared a national holiday. He called her the "mother of the civil rights movement."

Singer Ella Fitzgerald gets Reuben Felizardo's vote, and Juliette Lowe, the founder of the Girl Scouts of America, is Andy Castiglione's nomination. Aviator Amelia Earhart was the pick of Kevin Han and Jennifer Olsen.

These women are all worthy role models and national heroes.

I agree with these students. A national holiday for one of this Nation's outstanding women will motivate girls and young women. They can stand on the shoulders of these great women. Mr. Speaker and colleagues, listen again to Diana Camacho's convincing reasons to honor Madam Curie—her choice for a national holiday: "When I read about her, I got inspired to do better in everything I do. So with a holiday, just think of the influence it could have on young girls who learned about her! If we did this, it would change the way people look at women, because it would send the message that women can do great things just like men can—and be noticed. It would change the world just like Marie Curie did."